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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,515	11/29/2001	Peter J. Armbruster	IRI05459	5017

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EXAMINER

PEACHES, RANDY

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,515

Applicant(s)

ARMBRUSTER ET AL.

Examiner

Randy Peaches

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) claims 2-19 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. ***Claims 2-3, 5-8, 11-13, 15-17 and 21*** are rejected under 35 U.S.C. 102(e) as being anticipated by Gentry (U.S. Patent Number 6,453,162 B1).

Regarding ***claims 2 and 12***, according to ***claims 21 and 11***, Gentry discloses in column 5 lines 29-32, wherein the said personal computer (48), which reads on claimed "DHLR," is not located at the telecommunication service provider. The Examiner would like to bring to the Applicant's attention the cited portions in the Applicant's specification, wherein it is clearly evident on page 3 lines 27-29 wherein the said personal or distributed HLR can be a personal computer.

Regarding ***claims 3 and 13***, according to ***claim 2 and 12***, wherein, as disclosed by Gentry in column 3 lines 63-64, wireless subscribers, which reads on claimed "plurality of users", each said user of the said wireless subscribers having a said personal

Art Unit: 2617

computer (48) coupled to a said WEB server (44) indicating the services available to the said user.

Regarding **claims 5 and 15**, according to **claims 21 and 11**, wherein Gentry discloses in column 5 lines 20-24, the said foreign network (16) includes a remote HLR, as described in column 1 lines 48-54 and column 6 lines 10-14 wherein the referenced remote HLR is a second HLR, for generating a message requesting approval of the agreement by the said personal computer (48). See column 5 lines 54-67 and FIGURE 3.

Regarding **claim 6**, according to **claim 21**, wherein, as disclosed by Gentry in column 5 lines 43-67, a said personal computer (48) includes a WEB server (44), which reads on claimed "mean", for generating an IS-41 messages, which reads on claimed "message", requesting the approval of the agreement by the subscriber station (12) of the user.

Regarding **claims 7 and 16**, according to **claims 21 and 11**, wherein, as taught by Gentry in column 5 lines 22-42, the said personal computer (48) coupled to the said WEB server (44) includes a computing device.

Regarding **claims 8 and 17**, according to **claims 21 and 11**, as disclosed by Gentry in column 6 lines 10-30, wherein the communication network includes an internet connection between the said personal computer (48) and the remote wireless

Art Unit: 2617

component (20), which reads on claimed "VLR" (see column 6 lines 10-13 and FIGURE).

Regarding **claim 11**, Gentry discloses arrangement for services in a foreign network (16) by a user of a home network (10) comprising:

- a home network including a home location register (HLR, 17) coupled to the communication network. See column 4 lines 20-40 and FIGURE 2.
- a personal computer (48) coupled to a WEB server (44), which reads on claimed "distributed home location register (DHLR)", including data for authorizing the services in the foreign network (16). See columns 5 and 6 lines 22-42 lines 24-27;
- the said foreign network (16) including a wireless component (20), e.g. visitor location register (VLR, 20)(see column 6 lines 10-13), for determining an agreement for the services that are needed by the user in the said foreign network (16). See FIGURE 1, columns 4 and 5 lines 51-67 lines 1-4, respectively. Additionally, the said foreign network (16) includes a remote HLR, as described in column 1 lines 48-54 and column 6 lines 10-14 wherein the referenced remote HLR is a second HLR, for generating a message requesting approval of the agreement by the said personal computer (48). See column 5 lines 54-67 and FIGURE 3; and

Art Unit: 2617

- a subscriber station (12) which reads on claimed "mobile device", of the user coupled to the said foreign network (16) for approving the agreement for the services; See column 6 and 7 lines 55-67 lines 1-13.
- a communication network for coupling the said personal computer (48) to the said wireless component (20). See columns 6 lines 10-30 and FIGURE 2.

Regarding **claim 21**, Gentry discloses a mobile communication system comprising (See FIGURE 1):

- an Internet (46) and an IS-41 Network (40), which reads on claimed "communication network." See FIGURE 2.
- a home network coupled to the said communication network. See FIGURE 1;
- foreign network coupled to the said communication network. See FIGURE 1;
- a home network including a home location register (HLR, 17) coupled to the communication network. See column 4 lines 20-40 and FIGURE 2; a personal computer (48) coupled to a WEB server (44), which reads on claimed "distributed home location register (DHLLR)", including data for authorizing the services in the foreign network (16). See columns 5 and 6 lines 22-42 lines 24-27;
- the said foreign network (16) including a wireless component (20), e.g. visitor location register (VLR, 20)(see column 6 lines 10-13), for determining an agreement for the services that are needed by the user in the said foreign network (16). See FIGURE 1, columns 4 and 5 lines 51-67 lines 1-4, respectively. Additionally, the said foreign network (16) includes a remote HLR,

as described in column 1 lines 48-54 and column 6 lines 10-14 wherein the referenced remote HLR is a second HLR, for generating a message requesting approval of the agreement by the said personal computer (48). See column 5 lines 54-67 and FIGURE 3; and

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. ***Claims 4 and 14*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gentry (U.S. Patent Number 6,453,162 B1) in view of Torabi (U.S. Patent Number 6,754,482 B1).

Regarding ***claims 4 and 14***, according to ***claims 3 and 13***, wherein, as disclosed by Gentry in column 3 lines 63-64, wireless subscribers, which reads on claimed "plurality of users", each said user of the said wireless subscribers having a said personal computer (48) coupled to a said WEB server (44) indicating the services available to the said user.

However, Gentry fails to clearly teach wherein a first network HLR for a particular user includes a pointer to the DHLR for a particular user.

Torabi teaches in column 4 lines 38-55 wherein a user maybe traveling and authorized to receive a certain service within a particular area, on a pre-authorized basis. When the user originates a request for a service while in this area, it is further determined from that this service is authorized. Therefore, it is known that the HLR, via the subscriber's profile, recognizes where the subscriber's said DHLR location when the service is requested in a particular pre-authorized area.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gentry (U.S. Patent Number 6,453,162 B1) in view of Torabi (U.S. Patent Number 6,754,482 B1) in order for the system to recognize the user's said DHLR when provisioning service in a foreign location, which in turn, decrease the authorization processing time due to the system recognizing the user's location and providing the requested service based on the pre-authorization.

3. ***Claims 9-10 and 18-19*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gentry (U.S. Patent Number 6,453,162 B1) in view of well known prior art (MPEP 2144.03).

Regarding ***claims 9-10 and 18-19***, according to ***claim 21 and 11***, Gentry teaches of a communication network where a said personal computer (48) is connected to a said wireless component (20) of a said foreign network via the internet. Gentry, does not expressly disclose having a wireless or wire line connection between the VLR and the DHLR as claimed.

Art Unit: 2617

The examiner takes official notice that using the wireless or wire line connection to communicate between a mobile subscriber and a network component was well known in the art of telecommunications.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a wireless or wire line connection in Gentry in order to have a flexible way of implementing a transmission medium between the personal computer (48) and the said wireless component (20).

Response to Arguments

Applicant's arguments filed 9/11/2006 have been fully considered but they are not persuasive.

After further evaluation of the terminal disclaimer filed on 11/09/2006, the double patent rejection has been withdrawn and thus, the terminal disclaimer is accepted.

However, in further evaluation of the Applicant's arguments from the appeal brief filed 1/27/2006, the Examiner respectfully maintains his position. The Applicant argues the premise that that cited prior art of Gentry fails to clearly render sufficient support that two HLR's are provided. To clarify the Examiner's position, the Examiner has provided that Gentry teaches of a FIRST HLR (17) associated with a home network, as disclosed in Gentry's FIGURE 2. (the HLR (17) is thus part of the home network - wherein the home network is the home provider's network.) The second HLR, which is taught by GENTRY to be the HLR of the foreign network (16) includes a remote HLR for

Art Unit: 2617

generating a message requesting approval of the agreement by the said personal computer (48). See column 5 lines 54-67 and FIGURE 3.

Therefore, the Examiner respectfully maintains, based on the above office action and comments under this section that ***claims 2-19 and 21*** stand rejected.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (571) 272-7914. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Randy Peaches
November 16, 2006


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER